

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
No. 1:23-md-3076-KMM/Sanchez

*In re FTX Cryptocurrency Exchange
Collapse Litigation*

This Document Relates to:

*O'Keefe v. Sequoia Capital Operations,
LLC, et al., S.D. Fla.
Case No. 1:23-cv-20700*

JOINT MOTION OF
**PLAINTIFFS AND DEFENDANTS DELTEC BANK AND TRUST COMPANY
LIMITED AND JEAN CHALOPIN TO SET EXTENDED BRIEFING SCHEDULE AND
FOR LEAVE TO FILE OVERSIZED BRIEFS RELATING TO
DEFENDANTS' MOTION TO DISMISS AMENDED COMPLAINT**

Defendants Deltec Bank and Trust Company Limited (“Deltec”) and Jean Chalopin (together “Defendants”), and Plaintiffs by and through their respective counsel, respectfully submit this joint motion to seek an order from this Court setting an extended briefing schedule and approving oversized briefs concerning Defendants’ anticipated motion to dismiss Plaintiffs’ Amended Administrative Class Action Complaint and Demand for Jury Trial – Bank Defendants (the “Amended Complaint”).

1. On February 16, 2024, Plaintiffs filed their Motion and Incorporated Memorandum for Leave to File Amended Complaint Against Bank Defendants, including against Deltec and Mr. Chalopin, in *O’Keefe v. Sequoia Capital Operations, LLC, et al., S.D. Fla., Case No. 1:23-cv-20700* (Plaintiffs’ “Motion for Leave”) [ECF 492].

2. On March 1, 2024, Defendants filed their Response to Plaintiffs’ Motion for Leave to File Amended Complaint (“Response”) [ECF 513]. In their Response, Defendants noted, among other things, that they would not oppose the filing of the Amended Complaint, subject to their reservation of any rights and defenses, including their right to seek full dismissal with prejudice of the same.

3. Defendants anticipate filing a Motion to Dismiss the Amended Complaint (“Motion”), and the parties’ counsel have conferred and agreed to a proposed briefing schedule and proposed oversized briefing for the Motion to Dismiss. As agreed, the parties’ counsel propose as follows: (1) Defendants’ combined Motion is due on April 2, 2024, and shall not exceed 40 pages in length (not including the items specified in Local Rule 7.1(c)(2)); (2) Plaintiffs’ Response to the Motion is due on May 6, 2024, and shall not exceed 40 pages in length (not including the items specified in Local Rule 7.1(c)(2)); (3) Defendants’ Reply is due on May 27, 2024 and shall not exceed 20 pages in length (not including the items specified in Local Rule 7.1(c)(2)).

4. By agreeing to this motion, Defendants do not waive any of their rights or defenses, including, though not limited to, personal jurisdiction.

WHEREFORE, the parties respectfully request this Court enter an order (i) granting this Joint Motion; (ii) setting April 2, 2024, as the date for Defendants' to file their combined Motion, which shall not exceed 40 pages in length (not including the items specified in Local Rule 7.1(c)(2)); (iii) setting May 6, 2024, as the date for Plaintiffs' to file their Response to the Motion, which shall not exceed 40 pages in length (not including the items specified in Local Rule 7.1(c)(2)); (iv) setting May 27, 2024 as the date for Defendants to file their Reply, which shall not exceed 20 pages in length (not including the items specified in Local Rule 7.1(c)(2)); and (v) granting such further relief as this Court deems just and proper.

CERTIFICATE OF CONFERRAL

In accordance with Local Rule 7.1(a)(3) and this Court's procedures, counsel for Deltec and Mr. Chalopin conferred with Plaintiffs' counsel in a good faith via email and telephone on March 1 and 6, 2024, and via email, and reached an agreement on the relief sought in the instant motion.

Dated: March 7, 2024

[Continued on next page]

Respectfully submitted,

s/ Joseph B. Isenberg

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the forgoing was filed on March 7, 2024, via the Court's CM/ECF system, which will send notification of such filing to all attorneys of record.

By: s/ Joseph B. Isenberg

Attorney